

REMARKS/ARGUMENTS

In view of the remarks and arguments below, Applicant believes the pending application is in condition for allowance.

I. Status of the Claims

Claims 1-4 and 16-19 are pending and at issue. They are presented herein as a courtesy to the Examiner. No amendment to the claims is made in this Response.

Claims 5-15 and 20-31 were previously cancelled without prejudice to or disclaimer of the subject matter contained therein.

II. Overcoming the April 9, 2008 Office Action

Applicant appreciatively thanks Examiner Price for the acknowledgment that the amendments Applicant filed on June 10, 2008, have overcome all the claim objections and claim rejections issued in the Office Action dated April 9, 2008.¹

III. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-4 and 16-19 are rejected under 35 U.S.C. § 103(a) as unpatentable over EP 0 706 997 A1 to Saito et al. ("Saito"). The Examiner contends that Saito renders the claims obvious because it teaches the presently claimed phenolic molecular compounds having sulfonyl functional groups substituted on the phenol rings, wherein the present variables X, A, and B, as defined in the present Formulas (II) through (V), are a SO₂ group.

Applicant respectfully traverses the rejections. Specifically, phenolic molecular compounds are nowhere described or suggested in Saito. Saito only describes phenolic compounds.

The phenolic molecular compounds of claims 1-4 and 16-19 are directed to molecular compounds selected from the group consisting of hydrates, solvates, adducts and clathrate compounds. The claimed molecular compounds are prepared by reacting a phenol derivative

¹ Non-Final Office Action dated October 2, 2008, page 2, lines 9-10.

represented by Formula (I), (IV), (V) or (VI) with an organic compound, and have the phenol derivative as a constituent, the constituent being a host.

In the present invention, molecular compounds are defined as compounds in which two or more constituent compounds that are able to exist stably on their own are bonded by relatively weak interactions, other than covalent bonds, the interactions being represented by hydrogen bonds and van der Waals forces. Examples of the molecular compounds include hydrates, solvates, adducts and clathrate compounds (Specification, page 5, lines 8-12).

However, Saito neither describes nor suggests a phenolic molecular compound, much less the phenolic molecular compounds of the present invention.

The molecular compounds of the present invention enable the guest compounds to exhibit new characteristics in addition to their original characteristics. Specifically, as shown in the results of Examples 1 to 3, the molecular compounds of the present invention enable liquid bactericide, which is stimulative and has a high decomposability, to be powdered, thereby enabling the bactericide to achieve thermal stability. In addition, as shown in the results of Example 4, the molecular compound of the present invention enables substance having a low melting point to be crystallized, thereby allowing the control of melting and volatilization. Further, as shown in the results of Examples 5 to 9, the molecular compounds of the present invention enable substances that are liquid at room temperature to be powdered, thereby preventing volatilization.

At least for these reasons, Applicant respectfully submits that Saito, either alone or in combination with ordinary skill in the art, does not render any one of claims 1-4 and 16-19 obvious. Accordingly, Applicant respectfully requests that the rejections of claims 1-4 and 16-19 be withdrawn.

CONCLUSION

In view of the foregoing, it is believed that claims 1-4 and 16-19 are in immediate condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By 

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